

STAFF REPORT  
January 21, 2021

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**No. 20PL097 - Preliminary Subdivision Plan**

**ITEM 2**

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GENERAL INFORMATION:

APPLICANT	Eastern Slope Land Corp and Citcra, LLC
AGENT	Ian Garduna-Renner Associates, LLC
PROPERTY OWNER	Eastern Slope Land Corp. and Citcra, LLC
REQUEST	<b>No. 20PL097- Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	S1/2 of the S1/2 of the W1/2 of the SW1/4 of Section 13 and the unplatted balance of the N1/2 of the NW1/4 of the NW1/4 lying within Rapid City Corp boundary and a portion of the unplatted balance of the N1/2 of the NW1/4 of the NW1/4 lying outside Rapid City Corp boundary of Section 24, all located in T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 thru 8 of Block 6 of Kateland Subdivision
PARCEL ACREAGE	Approximately 6.04 acres
LOCATION	Northwest of the intersection of Brooke Street and Country Road
EXISTING ZONING	Medium Density Residential District/Power House PUD Zoning Document
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development)
South:	Low Density Residential District (Power House PUD Zoning Document)
East:	Medium Density Residential District
West:	General Agricultural District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	December 10, 2020
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

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**RECOMMENDATION:**

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Prior to submittal of the a Development Engineering Plan application, the Master Plan shall be revised showing the future location of Country Road as it intersects with the adjacent property (E1/2SE1/4 less Auburn Hills Subdivision and less ROW) in the same location as currently shown on the adopted Major Street Plan or the applicant shall submit written documentation from the adjacent property owner (Doeck LLC) indicating concurrence with the revised street location or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained to relocate the street as proposed;
2. Upon submittal of a Development Engineering Plan application, construction plans for Brooke Street shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, construction plans for Country Road shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. Easements and conveyances shall be secured as needed for the proposed development. In addition, upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. Major Drainage Easements shall also be dedicated for any proposed drainage improvements;
5. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support all platted development in the area;
6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed.
7. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
9. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be

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executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual;

10. Prior to submittal of a Final Plat application, the plat document shall show the vacated section line highway located between Sections 13 and 14, T2N, R7E;
11. Prior to submittal of a Final Plat application, the plat document shall be revised to show "Country Road" as "Country Road W.";
12. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
13. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**GENERAL COMMENTS:**

The applicant has submitted a Preliminary Subdivision Plan application to create 8 residential lots ranging in size from 0.169 acres to 1.114 acres. The development is to be known as Phase One of Kateland Subdivision.

The property is located at the western terminus of Country Road, north of Brooke Street. The property is currently void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

**STAFF REVIEW:**

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

**Zoning:** The property is currently zoned Medium Density Residential District with the exception of the southern portion of proposed Lot 4 which is a part of the Powder House Planned Unit Development Zone Document (PUD). The PUD identifies this area being used for outdoor storage and trailer parking. The applicant should be aware that prior to issuance of a building permit for Lot 4, the area zoned PUD must be rezoned to Medium Density Residential District.

The City's Future Land Use Plan identifies the northern portion of the property as Urban Neighborhood and the southern portion as Low Density Neighborhood. The proposed plat includes residential lots to support both single-family residential development and multi-family development. As such, the proposed plat is in compliance with the City's Comprehensive Plan.

**Brooke Street:** Brooke Street is a local street requiring that the street be located in a minimum 52-foot wide right-of-way and constructed with a minimum 26-foot wide paved surface, curb,

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gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for the streets must be submitted for review and approval as identified or must meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Country Road: Country Road is identified as a collector street on the City's Major Street Plan requiring that it be located in a minimum 68-foot wide right-of-way and constructed with a 34-foot wide paved surface. Upon submittal of a Development Engineering Plan application, construction plans for Country Road must be submitted for review and approval as identified and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or criteria for obtaining an Exception must be met. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Master Plan: The applicant's Master Plan identifies Country Road extending west to provide a street connection to the adjacent property. However, the location of the proposed street as it intersects with the adjacent property is not in alignment with the location shown on the City's adopted Major Street Plan. As such, prior to submittal of the a Development Engineering Plan application, the Master Plan must be revised showing the future location of Country Road as it intersects with the adjacent property (E1/2SE1/4 less Auburn Hills Subdivision and less ROW) in the same location as currently shown on the adopted Major Street Plan or the applicant must submit written documentation from the adjacent property owner (Doeck LLC) indicating concurrence with the revised street location or a Comprehensive Plan Amendment to the Major Street Plan must be obtained to relocate the street as proposed.

The applicant's Master Plan also identifies approximately 49 lots west of the intersection of Brooke Street and Country Road within future phases of the development. Section 2.6 of the Infrastructure Design Criteria Manual states that no more than 40 dwelling units are allowed with one point of access. Future development on adjacent properties may provide a second access to the future phases but it does not exist today. This issue will be reassessed as the applicant's property continues to develop.

Water: The property is located in the North Rapid Pressure Zone which serves elevations of 3,300 feet to 3,450 feet. The elevation of the proposed development is approximately 3335 feet. A 12-inch water main currently exists within Country Road. An 8-inch water main currently exists within Brooke Street and Chalkstone Drive, respectively. The applicant must identify whether they intend to extend the 12-inch water main through the development along Country Road or whether an 8-inch water main will suffice for the proposed development. Water main looping is required per the Infrastructure Design Criteria Manual.

Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer must be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report must demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows.

The Fire Department has noted that if fire flow requirements cannot be met, all residential structures within the subdivision must be provided with approved fire sprinkler protection.

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System design and installation must meet the system requirements of NFPA 13, 13R and 13D, as applicable.

Sewer: An 8-inch sewer main currently exists within Country Road and flows to the east. An 8-inch sewer main is located along the east boundary of 4114 Brook Street, flowing to the north and falls into the Country Road sewer main. The applicant must address where the new sewer will tie into the existing sewer. In addition, the applicant must verify that downstream capacity exists to serve the proposed development.

Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual must be submitted for review and approval. The design report must demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, easements must be provided as needed.

Drainage: The property is located in the Box Elder Drainage Basin. Since there are not any nearby storm sewers, the applicant must identify how storm drainage will be controlled and where it will outfall.

Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code must be submitted for review and approval for the proposed subdivision improvements. The drainage report must address storm water quantity control and storm water quality treatment. Easements and conveyances must be secured as needed for the proposed development. In addition, upon submittal of a Final Plat application, an agreement must be submitted for recording securing ownership and maintenance of any proposed drainage elements. Major Drainage Easements must also be dedicated for any proposed drainage improvements.

Stormwater Management Plan: The City Council has adopted a Stormwater Quality Manual and an Infrastructure Design Criteria Manual which provide criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual be submitted for review and approval as required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

Development Agreement: Section 1.16.1 of the Infrastructure Development Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement is a tool which will provide the City and the developer with an instrument to document the financial and procedural requirements for the development of public improvements. Staff recommends that prior to approval of the Development Engineering Plan application, a Development Agreement must be entered into with the City for all public improvements.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.